

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                                      |   |              |
|--------------------------------------|---|--------------|
| ESSENTIAL UTILITIES, INC. f/k/a AQUA | : | CIVIL ACTION |
| AMERICA, INC., et al.                | : |              |
|                                      | : | No. 22-1559  |
| v.                                   | : |              |
|                                      | : |              |
| SWISS RE CORPORATE SOLUTIONS         | : |              |
| ELITE INSURANCE CORPORATION          | : |              |
| f/k/a NORTH AMERICAN ELITE           | : |              |
| INSURANCE COMPANY, et al.            | : |              |

**ORDER**

AND NOW, this 28th day of March, 2025, upon consideration of Plaintiffs Essential Utilities, Inc. and Aqua Illinois, Inc.'s Motion to Enforce Judgment Requiring Defense of Underlying Lawsuits (ECF No. 90), the response and reply thereto, and the arguments made during the February 24, 2025 oral argument—and for the reasons in the accompanying memorandum—it is hereby ORDERED the Motion is GRANTED IN PART and DENIED IN PART as follows:

1. SRCS Elite must pay the outstanding defense costs incurred by Plaintiffs in the underlying lawsuits, after reducing the invoices to the same rates previously paid by Chubb Insurance. SRCS Elite's duty to defend began once the Chubb Policy was exhausted.
2. SRCS Elite may not require Plaintiffs to retain substitute counsel, nor may it require Plaintiffs to comply with Chubb's litigation management guidelines.
3. Going forward, SRCS Elite shall undertake the defense of Plaintiffs and pay Plaintiffs' counsel in the Underlying Lawsuits at the same rates paid by Chubb Insurance.
4. Parties shall submit a Joint Status Report to the Court detailing any remaining issues to be adjudicated in this matter by **May 12, 2025**.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.